

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1745

IN THE MATTER OF:

Served September 8, 1977

Application of SUBURBAN TRANSIT)
COMPANY for Temporary Authority to)
Conduct Regular-Route Operations -)
Oxon Hill)

Application No. 1011

By Application No. 1011, filed August 12, 1976, Suburban Transit Company (Suburban) seeks temporary authority pursuant to the Compact, Title II, Article XII, Section 4(d)(3), to transport passengers, in regular-route operations, between Oxon Hill, Md., and junction K Street and 22nd Street, N. W., Washington, D. C., serving specified intermediate points in Maryland and in the District of Columbia. Suburban proposes to charge a one-way fare of \$1.15 per person, and a round-trip fare of \$2.30 per person. Suburban's bus 1/ would depart from junction Fort Washington Drive and Warburton Drive, Oxon Hill, Md., at 6:50 a.m. and arrive at junction K Street and 22nd Street, N. W., at approximately 8:00 a.m. In the afternoon Suburban's bus would depart junction K Street and 22nd Street, N. W., at 4:50 p.m. and arrive at junction Fort Washington Drive and Warburton Drive, Oxon Hill, Md., at approximately 6:30 p.m.

The Commission may grant temporary authority, in its discretion and without hearings or other proceedings, if it finds there is an immediate and urgent need for service to a point or points or within a territory having no carrier service capable of meeting such need. See Compact, Title II, Article XII, Section 4(d)(3). Applicant has submitted numerous completed questionnaires from prospective passengers indicating that there is an immediate and urgent need for the proposed service. It should be noted also that in Order No. 1632, served December 1, 1976, the Commission (Stratton, Chairman, concurring) found that the public convenience and necessity required a similar operation proposed by this applicant. 2/

1/ Currently Suburban only has one operational vehicle. Suburban indicates that it is negotiating the acquisition of additional vehicles.

2/ A certificate of public convenience and necessity was not issued, however, because of applicant's failure to establish its fitness to provide such service. Particularly, it was found that Suburban's buses at that time were physically defective and not suitable for use in regular-route service.

It does not appear that there is any other carrier capable of providing the proposed service.

The Commission finds that the Compact requirements for temporary authority are met herein. Accordingly, the Commission shall grant Suburban's application for temporary authority. This grant of temporary authority, however, shall be conditioned upon: (a) Suburban's obtaining a back-up vehicle which can pass an inspection to be performed by the staff of the Commission, (b) the timely filing of applicant's WMATC Temporary Authority Tariff No. 1, and (c) proof of compliance with Commission Regulation 68. The grant of temporary authority, furthermore, shall create no presumption that corresponding permanent authority will be granted.

THEREFORE, IT IS ORDERED:

1. That Application No. 1011 of Suburban Transit Company be, and it is hereby, granted.

2. That Suburban Transit Company, be, and it is hereby, granted temporary authority to transport passengers, over regular routes, between junction Fort Washington Drive and Warburton Drive, Oxon Hill, Md., and junction K Street and 22nd Street, N. W., Washington, D. C., serving the following intermediate points:

Junctions Fort Washington Drive and St. Andrews Drive, Swan Creek Drive, Beach Drive and Riverbend Road;

Junctions Fort Foote Road and Round Table Drive, Tucker Way, East Fort Foote Road, Potomac Valley Drive, Riverbend Road and Oxon Hill Road;

Junctions Oxon Hill Road and Kerby Hill Parkway, Abbington Drive, Panorama Drive and Brockton Road;

Junctions Independence Avenue, S. W., and South Capitol Street, 4th Street, 7th Street, 12th Street, and 14th Street; and L'Enfant Plaza;

Junctions 14th Street, N. W., and Constitution Avenue, Pennsylvania Avenue and New York Avenue; and

Junctions K Street, N. W., and 15th Street, 16th Street, 17th Street, Connecticut Avenue, 18th Street, 19th Street and 21st Street:

(1) From junction Fort Washington Drive and Warburton Drive, over Fort Washington Drive to junction Livingston Road, thence over

Livingston Road to junction Oxon Hill Road, thence over Oxon Hill Road to junction Fort Foote Road, thence over Fort Foote Road to junction Oxon Hill Road, thence over Oxon Hill Road to junction Indian Head Highway, thence over Indian Head Highway to junction Interstate Highway 95/495, thence over Interstate Highway 95/495 to junction Interstate Highway 295, thence over Interstate Highway 295 to junction Porter Street, thence over Porter Street to junction South Capitol Street, thence over South Capitol Street to junction Independence Avenue, thence over Independence Avenue to junction 14th Street, N. W., thence over 14th Street, N. W., to junction K Street, N. W., thence over K Street, N. W., to junction 22nd Street, N. W., and return over the same route.

(2) From junction K Street, N. W., and 22nd Street, N. W., over K Street, N. W., to junction 14th Street, N. W., thence over 14th Street, N. W., to junction Independence Avenue, thence over Independence Avenue to junction Interstate Highway 295, thence over Interstate Highway 295 to junction South Capitol Street, thence over South Capitol Street to junction Porter Street, thence over Porter Street to junction Martin Luther King Avenue, thence over Martin Luther King Avenue to junction 4th Street, S. E., thence over 4th Street, S. E., to junction Southern Avenue, thence over Southern Avenue to junction Indian Head Highway, thence over Indian Head Highway to junction Oxon Hill Road, thence over Oxon Hill Road to junction Fort Foote Road, thence over Fort Foote Road to junction Oxon Hill Road, thence over Oxon Hill Road to junction Livingston Road, thence over Livingston Road to junction Fort Washington Drive, thence over Fort Washington Drive to junction Warburton Drive.

3. That Suburban Transit Company be, and it is hereby, directed to file with the Commission within 10 days from the date of service hereof (a) two copies of WMATC Temporary Authority Tariff No. 1, to be effective upon acceptance by the Executive Director, and (b) a notarized statement of compliance with Commission Regulation 68.

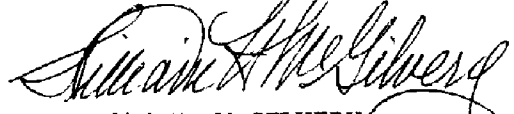
4. That Suburban Transit Company be, and it is hereby, directed to make available for inspection by the staff of the Commission, within 10 days from the date of service of this order, at least one vehicle it proposes to use as a back-up vehicle for the service authorized herein.

5. That the temporary authority granted herein shall, upon full compliance by applicant, become effective October 3, 1977, and shall remain in effect through March 31, 1978, unless otherwise ordered by the Commission.

6. That unless compliance is made by Suburban Transit Company as set forth in the second and third preceding paragraphs the grant of temporary authority made herein shall be considered as null and void and

Application No. 1011 shall stand denied in its entirety effective upon the expiration of the said compliance time.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director